

STATE OF UTAH
NATURAL RESOURCES
Oil, Gas & Mining

Norman H. Bangerter, Governor
Dee C. Hansen, Executive Director
Dianne R. Nielson, Ph.D., Division Director

355 W. North Temple • 3 Triad Center • Suite 350 • Salt Lake City, UT 84180-1203 • 801-538-5340

October 1, 1987

Mr. Duayne T. Johnson
3276 South 3690 West
Salt Lake City, Utah 84120

Dear Mr. Johnson:

Re: Bryson #4 Patented Tar Sands Claims, M/019/014, Grand County, Utah

It is my understanding that your tar sands mine in Grand County has been inactive since Mr. Merrell mined the site in the summer of 1985 and that no one is currently leasing the property. The Division will consider your mine as exempt from the Mined Land Reclamation Act at the current level of disturbance. It is not normal policy to allow for five-acre exemptions, but I will make an exception in this case (see attached memo and field report from Frank Filas of my staff).

If you should decide to reopen the mine in the future, you (or the lessee) will have to contact the Division and file the appropriate forms with us. The two-acre small mine exemption was repealed by laws passed in the 1986 and 1987 state legislative sessions. Mining and exploration operations are now required to reclaim after conclusion of mining irregardless of size. Those operations which disturb less than five acres at any time (small mines) are required to file a Small Mine Notice of Intent. Those mine operations greater than five acres will be permitted and will post a reclamation bond in pretty much the same manner as before.

We wish you the best of luck and hope that Utah tar sand mining will become an economical industry in the not too distant future.


Sincerely,

Lowell F. Braxton
Administrator
Mineral Resource Development
and Reclamation Program

clj

cc: F. Filas
T.J. Murphy
B. Merrell
1243R/85

October 1, 1987

TO: Lowell P. Braxton, Program Administrator
FROM: Frank J. Filas, Reclamation Engineer 
RE: Bryson #4 Patented Tar Sand Claims, DOE/019/020,
DOE/019/028, and M/019/014, Grand County, Utah

At the current time, we have three separate files on the above referenced tar sands mine. These files are summarized below:

File Summaries

1. DOE/019/020 - A Declaration of Exemption (DOE) was granted to Mr. T. J. Murphy (lessee) on January 14, 1982.
2. M/019/014 - Final approval was given for a 17-acre Mine and Reclamation Plan to Mr. T. J. Murphy on August 30, 1982. The original reclamation surety (an escrow account) was replaced by a \$65,000 bond in March 1983 by Big Horn Oil Corporation (sublessee). Big Horn Oil Corporation defaulted on the lease agreement in 1984. The reclamation bond remained in effect (because it was not cancelable) until November 1986, when the insurance company went into liquidation.
3. DOE/019/028 - Byron Merrell acquired the Bryson #4 lease in 1985. The Division granted him a Declaration of Exemption on June 11, 1985 with the understanding that he would eventually file a mine plan or adopt the existing mine plan (M/019/014). This was never done.

Appraisal

The Division should not have granted Mr. Merrell exemption status in 1985. The correct procedure should have been to transfer the existing permit to Mr. Merrell and require that he post a reclamation bond. There is no fair or equitable way that the Division can assign eventual reclamation responsibility for this mine site at this time.

Page 2

Memorandum - Lowell P. Braxton

DOE/O19/20, DOE/O19/28, M/O19/014

October 1, 1987


Recommendation

The mine site encompasses five acres of disturbance (see attached field report) which if divided in two would give you 2.5 acres for Mr. Murphy's exemption and 2.5 acres for Mr. Merrell's exemption. I recommend that the Division treat the site as two exemptions and the the case be closed under file number M/O19/014.

1243R/86-87

October 1, 1987

TO: File

FROM: Frank J. Filas, Reclamation Engineer 

RE: Site Inspection, Bryson #4 Patented Tar Sand Claims,
M/019/014, Grand County, Utah

On September 17, 1987 I inspected the above referenced tar sands mine. This property was last mined in the summer of 1985 by Mr. Byron Merrell under DOE/019/028. A 150-ton bulk sample of stockpiled material was removed more recently for testing purposes. The site is accessed via the Seep Ridge Road and is located just over the county line in Grand County.

A quarter-mile access road leads to the site which consists of a three-acre mining area, a one-acre sedimentation pond, and a cabin and pad area above which covers approximately one-half acre. Total surface disturbance is estimated to be five acres (see attached sketch and pictures). No safety or environmental problems were observed.

clj
Attachment
1243R/88

SKETCH OF BRYSON #4 PATENTED
 TAR SANDS CLAIMS, W/019/014
 By Frank Ellis, 9/17/87

